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OFFICE OF PETITIONS

In re Application of :
Biessner et al. :
Application No. 09/975,628 :
Filed: October 12, 2001 : ON PETITION
Attorney Docket No.: :
1009-001US02 :

This is a decision on the Petition for Withdrawal of the Holding of Abandonment, filed September 6, 2005. The petition is properly treated under 37 CFR 1.181.

The petition is granted.

The above-identified application became abandoned for failure to timely reply to the Notice of Allowance and Issue Fee Due, mailed May 6, 2005. The Notice set a non-extendable three (3) month period for reply. No reply having been received, the above-identified application became abandoned August 7, 2005. The mailing of this Decision precedes the mailing of a Notice of Abandonment.

Applicant's Assertion

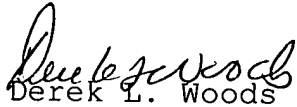
Applicant avers non-receipt of the Notice of Allowance and Issue Fee Due. In support, Applicant has provided the necessary statements and copies of the docket record where the non-received Office action would have been entered had it been received and docketed. Applicant has demonstrated by a preponderance of the evidence that the Notice of Allowance and Issue Fee Due was not received.

The Notice of Abandonment is hereby withdrawn.

No fee has been charged and none is due.

The application file is being referred to Technology Center 2189 for remailing of the Notice of Allowance and Issue Fee Due and Notice of Allowability.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

A handwritten signature in cursive script, appearing to read "Derek L. Woods".

Derek L. Woods
Attorney
Office of Petitions